App. F. IX-4

1935.
(Annual)

File No. 6-35

Previous References
6-35-1-4
S-3-36-1-2

Serial Nos. 5-7

Letter References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 3

Part B for April 1936-

SUBJECT.

Representation of S. B. Kongalappa, clerk, Public Prosecutor's Office, Shimoga, praying for the cancellation of the order of his suspension & the disbursement of the arrears of pay due to him.

To The Public Prosecutor Shimoga Divn.

WD 03607—GPB—22,500—2-8-35

No P 7132 27-4-1936.

States that the clerk may be informed that Govt. see no grounds to reconsider the order passed on 8.10.35 & directs that the arrears due may be got disbursed.

5.5.36

Serial No.

1

Dear,

T. B. Kangalappa, Clerk, O/o the Asst Commr Shimoga

Submits a copy of his representation dt 20.1.36 sent to the Asst. Shimoga praying for Cancellation of the order of suspension and for payment of arrears of pay due

2) The petr says that he has presented his representation to the Asst. Shimoga on 6.1.36, requesting him to forward the same to Govt. It is for orders whether the petr now sent may be sent to the Asst. and a report called for, or this may be filed in view of the orders already passed in the matter.

TSD 3/2

3) Please ask the Asst why he has not forwarded the petition to Govt by the clerk. He cannot without this. He has to send it with his opinion.

RRL 3/2/36

3) Dft put up accordingly

TSD 4/2

4) for perusal before issue

Gen Secy) RRL 4/2

WD 03594—GPB—30,000—18-7-35

5) What are the PP's powers of control over his staff?

Two
2/2

PPP
7/2

GENERAL SECTT.
11 FEB. 1936
311

The PP's powers of Control are not defined anywhere.

(Govt Secy) PPP 8/2

TSD 8/2

Secy on leave

7) Issue of Apprenticeship

PPP
13/2

To,

TYPING SECTION
1 FEB. 1936
REV. SECTT.

The Dist. Magistrate

no. P. 527. dt 17.2.36 inquiring whether he has not yet received the petition for

6) Subsidy for penal area zone.

TSD 18/2

9) The PPs ... one officer - his clerk is appointed by Govt - No. ... or orders have been made defining the powers ~~of the~~ of the PPs over his clerk

GENERAL
10
5 29

(Govt Secy) PPP 18/2

10) Seen - 9 should have been read to me - slightly altered the wording of the letter - 9 latest unnecessarily so.

two 20/2 PPP 20

Representation of S.B. Kengalappa Clerk, ASPs office, Shim

3

Serial No.

6

The DPr. Shimoga

No. 4195 dt 13-6-35 forwarding the repn of his clerk, S.B. Kengalappa and stating in the circumstances pointed out, that none of the reasons set forth in the petn for reconsideration of the order of suspension is tenable and acceptable and that his intention to find fault with his offr in suspension should be duly noticed and some disciplinary action taken thereon

Repn pars 1-9 supra, and pars 13-15 in Law file 6/35 pp 1-4 placed below.

The main grounds urged for reconsideration of the order of suspension are

1) That he took oral permission of the DPr to leave the station on 22nd April and left Shimoga on the same day fully believing that the oral permission given was enough

2) That owing to ill-health he was forced to apply for leave in continuation of the Xmas vacation till 26.6.35 and the [illegible]

WD 03594—GPB—30,000—13-7-35

appt dod not receive any reply to the grant of leave on one side and that in the absence of such a reply he took for granted that the leave applied for was sanctioned, and that after Extension of leave on account of Continued ill health he reported himself for duty on 27.7.25

3) That the PBR refused to take him on duty and called for an explanation

4) That his appeal Superior had a personal bias against him which is proved by his not issuing him an endt of refusal of leave, and that he has been kept in dark and stalled from behind

5) That arrears of pay due to him remain undisbursed

In para 4 of appe P.W.D, the PBR has explained how the penal allegations made against him are not acceptable. It was also found on previous occasion that the explanation offered by the clerk was false. But the clerk says that if he was favoured with an Endorsement of refusal of leave applied for he would have Conducted

Serial No.

himself properly when alone by going to Shimoga and applying personally for leave. Nor seems to be some force in this Contention no endorsement appears to have been given to him by the Pr. Once all the cases on Black Cotton accepted. The remaining grounds urged seem to be non tenable.

As regards his arrears of pay, the Pr says that the clerk has not prepared the salary inspite of his asking him for no of times, as he pay has fallen into arrears on account of his own laches.

Subd for orders.

15th 16/4

There are not sufficient Grounds to reconsider the orders passed on 8-10-35. As regards the arrears of pay claimed, the Pr may be requested to get the necessary bills prepared + forwarded to this office for disbursement the Salary due in accordance with rules — No further action now is perhaps called for

Gen Secy 16/4 22/4

16 APR. 1935

WD 03594—GPB—30,000—13-7-35

Dft 22/4

Repⁿ of SB. Kanakappa

Low File No. 1935. General and Revenue Secretariat

dfn and
TSD
24/4

Issue
DDR
24/4

To,

Re P.Br. Shimoga
no. P. 7132 dt 21.4.36 intimating
that we desn may be informed that
Govt do not see any grounds to
reconsider the order already passed
in the matter

B
25/4/36

4485 P 35

To

The General Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Section, Bangalore.

Through

SECRETARIAT
21 JAN 1936

The Public Prosecutor,
Shimoga Division, Shimoga.

Respected Sir,

I most respectfully beg to submit the following few lines for your sympathetic and generous consideration and necessary orders.

I was transferred to the Shimoga Division in October 1934 and posted as a clerk in the office of the Public Prosecutor, Shimog Division,. I reported myself for duty at my new station on 15-10-34 and I continued to work in the office without any the least complaint till Civil Courts were closed for the summer vacation with effect from 1-4-1935.

I completed all the legitimate work I had to discharge and afte submitting the quarterly statements for the quarter ending 31st March 1935 I applied to the learned Public Prosecutor to permit me to to avail the vacation and he was magnanimous enough to permit me to do so. But I submit that I failed in my duty in so far as I did no apply in writing for permission as I thought that I had infused confidence in the mind of the officer under whom I had the good luck to serve, and relying on the truth of my own conscience I left Shimoga on 22-4-1935 fully believing that the oral permission given to me was enough, and went to my native place.

But as misfortune would have it I fell ill owing to the unhealthy climatic conditions and was therefore forced to apply for leave in continuation of the summer vacation till the 26th June 1935. The leave application sent by me on 11-5-35 brought me no reply , not even an endorsement of refusal and in the absence of anuthing contrary I took it for granted that the leave applied

for by me was sanctioned. On 27-5-35 I again applied for leave till 26-6-1935. I was due on the 27th June 1935 but since I was not confident of my own state of health I sent a telegram on 27-6-35 to the Public Prosecutor to grant me an extension of leave till 26-7-35. I sent my application for the grant of an extension of leave by registered post on 29-6-35 praying that in view of my ill-health my leave may be extended till 26-7-35 and in support of my claim I sent a medical certificate also.

The continued strain to which I was subjected both physically a mentally completely unnerved me and I had no other resource to keep me on except the pittance of pay to which I was justly entitled and I applied to the learned Public Prosecutor to send me my pay for March and April by Money-order since I was quite certain that my leave was sanctioned, because as submitted already I had not heard anything to the contrary from the office. Even this appeal did not bring me any reply. It can well be imagined how a poor official li-ke your humble petitioner should have suffered when he was denied even the poor salary which he had earned at the sweat of his brow.

I submit I would rather attribute all this to my own misfortune than plead to the contrary. With the Good Graces of God I got over my illness and immediately went to Shimoga and reported myself for duty on 27-7-1935 when I was due. To my surprise the learned Publi Prosecutor refused to take me on duty and further refused even to pass an order on my report.

Instead, I was asked to submit an explanation on the points noted by the learned Public Prosecutor before I could be taken on duty The points on which I had to furnish an explanation are only three and however honest and true to the best of my conscience I may be, my humble explanation was adversely commented upon and I am not able to know how - but make myself bold to say so judging by the result of my explanation.

The learned Public Prosecutor knew personally when I left

Shimoga,

Shimoga, as he also left head quarters to go to Ooty the same evening i.e., on 22-4-1935 and he even saw me in the station Under these circumstances I fail to see the importance of the question and I submit it was put to me with no other object than harming me. So also question No. 3. Since I could depend upon the oral permission granted to me by no less a person than my officer I did not think that a written permission was either necessary or called for. Question No.2 also required no explanation as the quarterly Statements for the Quarter ending 31st March 1935 had been submitted and the Statements contained all the explanations called for by the Deputy Commissioners of Kadur and Chittaldroog Districts.

Thus I submit that the explanation called for by the learned Public Prosecutor supplied only a basis for punishing me for reasons best known to the learned Public Prosecutor himself. I further submit that my honest explanation was very cruelly treated with the result that it reflected very severely both on my finances and more especially on my service.

I have already submitted that my continued applications for leav brought me no endorsements at all either of sanction or refusal and the courts reopened with effect from 13-5-1935. In this connection I submit that it was only on 8-7-35 nearly two months thereafter that the learned Public Prosecutor sent a report to Government regarding the absence of the clerk, and it was only then that for the first time he reported that the clerk had absented himself without permission.

This opened up a correspondecne between the Government and the Public Prosecutor and it explains the reasons why my explanation was called for after I returned to duty and also for the adverse report made thereon. If the clerk was really an offender a report regarding his conduct should have been made at the ~~absence~~ earliest-

earliest opportunity on the 14th of May 1935 , and the absence of any such report proves conclusively that because there was room for correspondence it necessitated an explanation from me. I would also submit that if the learned Public Prosecutor had no personal bias on me he should have been pleased to issue an endorsement to me refusing me leave on my very first application. And I should have conducted myself properly then alone by going to Shimoga and applying personally for leave. Instead of this I was kept in dark and stabbed most cruelly from behind and even my explanation was submitted to Government nearly a month after I gave it for reasons best known to the learned Public Prosecutor.

Under these circumstances I most respectfully pray that the connected papers may kindly be called for and my order of suspension cancelled and I granted leave of whatever kind I am found entitled to. Further I most respectfully pray that the arrears of my pay which I am entitled to may also be ordered to be disbursed to me.

I beg to remain,
Respected Sir,
Your most obedient servant,
Sd/- S.B. Kongalappa,
Clerk,
Public Prosecutor's Office,
SHIMOGA DIVISION.

Shimoga.
Date 6th January '36

"Copy"
S. B. Kongalappa.

Submitted.

I crave for pardon for sending the copy of my application dated 6-1-36 presented to the Public Prosecutor, Shimoga. I presented the original application on 6-1-36 requesting him to forward the same to your Honour's Office. In spite of my repeated requests, he has not yet submitted it to your office. Therefore I am forced to submit a copy of my application for your kind perusal and favourable orders.

Shimoga
20-1-36.

S. B. Kongalappa
Clerk.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 15th February 1936

No. PS 471

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Public Prosecutor,

S H I M O G A

Sir,

I am directed to enquire why you have not forwarded as yet the petition to Govemment of your clerk S.B. Kongalappa praying for cancellation of the order of suspension and for payment of arrears of pay due said to have been submitted through you on 6th January 1936. Such petitions cannot be withheld but must be transmitted within a reasonable time with your remarks, if any.

I have the honour to be,
Sir,
Your most obedient servant,

For General Secretary to Government.

mk.

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 7/1/36

Signed by .....

Copied by .....

Examined by.....

Section

File No.

Serial No.

No. P 5471

To

The Asst Shimoga

Sir,

I am directed to enquire why you have not forwarded ~~forward herewith~~ ~~the representation of~~ as yet the petition to Govt of your clerk S. B. Kangelappa praying for Cancellation of the order of suspension and for payment of arrears of pay due, ~~and to enquire why you have not forwarded his representation~~ said to have been submitted ~~through~~ to you on 6.1.36 Such petitions ~~with your~~ cannot be withheld it must be ~~remarks~~ transmitted within a reasonable time with your remarks, if any I have etc

pp 4/2 Dy Gen Secy

TSD 12/36

WD 03601—GPB—30,000—23-9-35

622/935

(7)

GENERAL DEPARTMENT
8 APR. 1936

TO

The General Secretary.

To the Government of Mysore, Law Section.

BANGALORE.

Respected Sir,

In continuation of my humble representation dated the 20th January 1936, wherein I have requested for the cancellation of suspension orders and to order payment of arrears of my pay due to me from March to July 1935, I beg to state that I have been suffering very much under the financial circumstances and I have incurred debt of about Rs.75/- and odd in this place on account of my domestic difficulties and Medical charges due to the treatment of my ill-health and I am afraid that I may be put into more troubles if I could not get early favourable orders thereon.

I am a poor official who is mainly depending upon my pay only, with out any other sources of income.

Under the above hard circumstances, your honour's humble petitioner most respectfully requests that kind early orders may be passed for immediate disbursement of pay.

For which act of kindness, I shall ever remain grateful.

I beg to remain,
Respected Sir,
Your most Obedient Servant.
S. B. Kanjalaffa.
Clerk,
Public Prosecutor's office.
SHIMOGA.

GENERAL DEPARTMENT
11 APR. 1936

Shimoga
Dated 7-4-36.

Submit for perusal today
A letter has been issued to the Petr. and his report awarded.
9/4

Gen Secy

From No. 425 / 13-4-36 / Exes 2 pts 86

The Public Prosecutor. S.6291/P

Shimoga Division.

Shimoga.

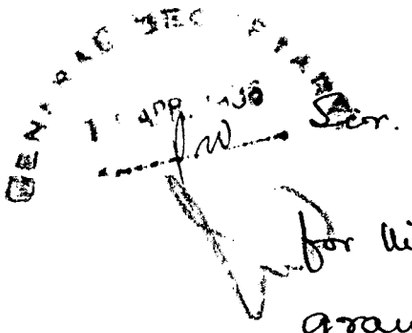
(8

To.

The Secretary to the

Government of ~~Bombay~~ Mysore.

Bangalore.



1) Petition of this office clerk S/6-1-36 praying for the Cancellation of his Suspension and granting him leave of the Kind he is entitled to.

2) In forwarding herewith for your perusal the enclosed application, I have the honour to invite your Kind attention to my former reports on his Conduct namely Camp letter No 1 with 10 enclosures dated 8/12-July-3 and Camp letter No 4 dated 31st Aug 4th Sept 1935 detailing the circumstances under which I had to keep him under Suspension on account of his absence from headquarters without permission and State that the Government has after Consideratio of his explanation, which has been found to be false, has been pleased to pass an order directing that the period of his absence with permission should be treated as Suspensio without allowances and Communicated th

order in the letter No P. 2364 for 6-38-5 dated 4th/8th October 1935.

3) The clerk requests that the said order should be cancelled and his absence should be treated as on leave that he is entitled to. This request for a reconsideration of the previous Government order is sought for the following reasons, namely, (1) that he continued to work in the Shimoga office after his transfer from Bore without any complaint but until the civil Courts were closed for the Summer Vacation with effect from 1-4-1935. (2) that he completed all the legitimate work he had to discharge and obtained oral permission of his Superior to avail himself of the Summer holidays and to leave Shimoga on 22nd April and that he left Shimoga on that evening along with his official Superior who left this place by the same train for Gooty, (3) that he thought the oral permission as sufficient and that the written p[illegible] was unnecessary. (4) that he had to apply

for leave ~~Sickness~~ in Continuation of Seasonal
K.K.
holidays on account of Sickness and that in the
absence of endorsement of refusal he thought
the leave to have been sanctioned. (5) that he
then applied for leave on 24.5.35 until 26.6.35
and then applied for an extension until 26.7.35
and that he came back to duty on 24.7.35 at
Shimoga. (6) that he was then asked to submit
an explanation for which he has been unjustly
punished. (7) that his official Superior had a
personal bias against him which is proved
by his not issuing him an endorsement
of refusal of leave and that if such an
endorsement had been issued he would have
Conducted himself properly then alone by
going to Shimoga and applying personally
for leave, and that he has been kept in
dark and stabbed from behind and (8)
that his explanation was called for ~~after~~ after
his return to duty and an adverse report
was made because there was Correspondence
between the Government and his official Superior
A
None of the reasons set for the above for the

reconsideration of the Government order is tangible and acceptable.

4) The first reason is falsified by the fact that after his transfer to Shimoga from Mysore he reported himself for duty here on 15th October 193 and ~~availed~~ availed himself of the ensuing Dasara holidays But after that he did not join duty on 26th octobe and took privelege leave from 26th Octobe to 6th November 1934 (vide his letter d. 24/10/3 enclosed) And he availed himself of the ensuing Christmas holidays and thereafter worked until 20th February and went away on Previlege leave for 15 days from 21st February 1935. Thus he should have returned to duty on 9th March but instead sent a telegram from Mys on 8th inst requesting 16 days. leav without assigning any reason actually came back to duty on 24th March after a continued absence from Shimoga for 21st February. No immediate action was taken a

him on the hope that he would improve

That the second reason Setut is false is apparent from the circumstances mentioned in my two previous reports and the version of having obtained my oral permission on the 22nd April 1935 is completely falsified by the bill obtained from the Modern Hindu Hotel at Ooty which I have enclosed to my letter No 4 dated 4th September 1935 which proves that I was at Ooty on 22nd April and therefore I must have left Shimoga before that day.

5) Nobody could accept the Version of oral permission as being sufficient and of written application and permission as being unnecessary That the fourth ground namely he had to apply for leave on account of Sickness is a make-believe is clear from the latest Version of his writing in his first letter dated 9th May 1935 and the next letter d 22/25 May 1935 which are enclosures to my report no 1 of 8th July 1935. The later letter ~~[illegible]~~ states that his affairs were bad and that he would not leave his hou

and that privilege leave may be granted to him until 13th Jan as his health did not permit him to live alone in a distant place. This letter proves I was not sick but that he was unwilling to work at Shimoga on account of its distance. More than all, his allegation in the present petition that if an endorsement of refusal of leave had been sent to him he would have conducted himself properly there alone by going to Shimoga and applying personally for leave established beyond all doubt that his allegation of Sickness was a pretension and a false excuse set up to explain away his inexcusible absence As regards the allegation that his official Superior had prejudice or bias against him is fully belied by the recommendations actually made by me to the effect that he may be transferred to his native district of

Mysore and that he is entitled to furrage leave until the end of 13th June 1935 after deducting the 32 days which have elapsed between 21st February and 24th March 1935 on account of his previous absence.

b) Thus, the Government will be pleased to see that none of the allegation contained in his pitition do entitle him to a reconsideration of the Govt. order which has been passed on account of his false explanation for his absence from duty without permission and that I have not at all been harsh, or unjust towards him and that he is justly punished.

7) As regards the alleged arrears of his pay, I have to state that Kongalaffa has drawn his Salary for the month of February 1935, and he is entitled to his Salary for the month of March as he has not been absent from duty without permission.. He is also entitled to his Salary during April 1935 up to the end of 22nd instant and as he has not been absent without permission from 23rd April up to 24th July and as he was taken back on

duty on 1st August 1935 Since he was first
reluctant to offer the written explanation
on the points referred to him and then
later on submitted his explanation,
he is entitled to his Salary from 1st Aug 35
which has already been disbursed to
him. So that, the only arrears of Salary
due to him are for the month of March
1935 and for 22 days in April 1935. After
the passing of the Government order I have
told him a number of times to prepare
the Salary bill for the arrears due to
him for encashment. But, he has not
chosen to prepare the bill and submit
it for my Signature The pay actually
due to him has fallen into arrears
on account of his own ratches and not
due to any action on my part.

4) I would like to bring to your
Kind notice of his Continued disregard
for the proper Conduct of his work and his
anxiety to get out of Shimoga as often as
possible irrespective of what the effect

of it would be on the office work.

Subsequent to the above Government order he was allowed to utilize the last Dasara Holidays. Later on he applied for 8 days Casual leave from 19th Feb. 3 with permission to utilize the holidays on 21st and 23rd which has been granted to him. His recent activities have been far from satisfactory as he has become mischievous and I have permitted him in writing to utilize the Summer vacation from 11th instant up to 8th May since he declined to remain at Shimoga and threatened against me a petition unless permission was granted.

4) It is expedient that the ~~perfidious~~ attitude of the clerk in his persistant adherence to the explanation found to be false by the Government and his insolent behaviour to find ~~fault~~ faulted with his official Superior which is manifest from his petition should be duly noticed by the Government and some disciplinary action should

taken therefor. I delayed in submitting his petition so far on the hope that he would improve so that I might be a favourable recommendation. But now... hopes have not been fulfilled and on the other hand, the adverse attitude of the petitioner has compelled me to urge the Real Situation in the interests of office discipline

I have the honour to be
Sir.
Your Most obedient Servant

D Krishna Murthy
Public Prosecutor
Shimoga Division
13-11-1981

KE/
26 to 28 Oct 34

To

The Public Prosecutor
Shimoga division
Shimoga.

Submitted

Owing to the fact that I am in my personal convenience and troubles, I feel inability to start Shimoga on duty on 25th instant I humbly request you to kindly grant me provincial leave from 26th to 6th November both days inclusive

I hope that my humble request will be granted.

I beg to remain
Respected Sir
Your most obedient Servant
S. B. Kongalabhavi

Gundlupet
24.10.1934

Submitted,

I beg to request your honour to kindly grant me Casual leave from 19-2-36 to 29th February 1936 with permission to avail the two General holidays on the 21st & 23rd instants

Shimoga 18-2-36

I beg to remain
Sir
your most obedient servant

S. B. Kalappa
Clerk

He is granted 2 days casual leave with permission to avail the holidays on the 21st & 23rd instants. He should report himself for duty on 24th

Noted
S. B. Hosamane
18-2-36.

Submitted

I beg to report myself for duty to-day this morning at 8. A.M.

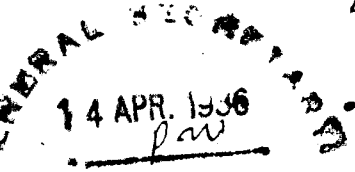
Shimoga
29-2-06

I beg to remain
Sir
your most obedient servant

B. Rangaloffa
Clerk.

Submitted

I beg to request you to Kindly forward the enclosed application dated 6-1-1936 to the General Secretary to the Government of His Highness the Maharaja Mysore Law Section, Bangalore.



Shimoga
6-1-36

Your most obedient Servant
S. B. Kempalatha
Clerk.

To
The Public Prosecutor
Shimoga Dn Shimoga.

The leave application sent by me on 11-5-35 brought me no reply, not even an endorsement of refusal and in the absence of anything contrary I took it for granted that the leave applied for by me was sanctioned. On 27-5-35 I again applied for leave till 26-6-35. I was due on the 27th June 1935 but since I was not confident of my own state of health I sent a telegram on 27-6-35 to the Public Prosecutor to grant me an extension of leave till 26-7-35. I sent my application for the grant of an extension of leave by registered post on 29-6-35 praying that in view of my ill-health my leave may be extended till 26-7-35 and in support of my claim I sent a medical certificate also.

The continued strain to which I was subjected both physically and mentally completely unnerved me and I had no other resource to keep me on except the pittance of pay to which I was justly entitled and I applied to the learned Public Prosecutor to send me my pay for March and April by Money Order since I was quite certain that my leave was sanctioned; because as submitted already I had not heard anything to the contrary from the office. Even this appeal did not bring me any reply. It can well be imagined how a poor official like your humble petitioner should have suffered when he was denied even the poor salary which he had earned at the sweat of his brow.

I submit I would rather attribute all this to my own misfortune than plead to the contrary. With the Good Graces of God I got over my illness and immediately went to Shimoga and reported myself for duty on 27-7-1935 when I was due. To my surprise the learned Public Prosecutor refused to take me on duty and further refused even to pass an order on my report.

Instead, I was asked to submit an explanation on the points noted by the learned Public Prosecutor before I could be taken on duty. The points on which I had to furnish an explanation were only three and however honest and true to the best of my conscience I may be, my humble explanation was adversely commented upon and I am not able to know how - but make myself bold to say so judging by the result of my explanation.

To

The General Secretary to the Government

of His Highness the Maharaja of Mysore,

Law Section, B A N G A L O R E.

Through

The Public Prosecutor,

Shimoga Division, Shimoga.

Respected Sir,

I most respectfully beg to submit the following few lines for your sympathetic and generous consideration and necessary orders.

I was transferred to the Shimoga Division in October-1934 and posted as a clerk in the office of the Public Prosecutor, Shimoga Division. I reported myself for duty at my new station on 15-10-34 and I continued to work in the office without any the least complaint till Civil Courts were closed for the summer vacation withheffect from 1-4-1935.

I completed all the legitimate work I had to discharge and after submitting the quarterly statements for the quarter ending 31st March 1935 I applied to the learned Public Prosecutor to permit me to avail the vacation and he was magnanimous enough to permit me to do so. But I submit that I failed in my duty in so far as I did not apply in writing for permission as I thougnt that I had infused confidence in the mind of the officer under whom I had the good luck to serve and relying on the truth of my own conscience I left Shimoga on 22-4-35 fully believing that the oral permission given to me was enough, and went to my native place

But as misfortune would have it I fell ill owing to the unhealthy climatic conditions and was therefore forced to apply for leave in continuation of the summer vacation till the 26th June 35.

The learned Public Prosecutor knew personally when I left Shimoga, as he also left head quarters to go to Ooty the same evening i.e. on 22-4-1935 and he even saw me in the station - Under these circumstances I fail to see the importance of the question- and I submit it was put to me with no other object than harming me. So also question No.3. Since I could depend upon the oral permission granted to me by no less a person than my officer I did not think that a written permission was either necessary or called for. Question No.2 also required no explanation as the Quarterly Statements for the quarter ending 31st March 1935 had been submitted and the statements contained all the explanations called for by the Deputy Commissioners of Kadur and Chitaldroog Districts.

Thus I submit that the explanation called for by the learned Public Prosecutor supplied only a basis for punishing me for reasons best known to the learned Public Prosecutor himself. I further submit that my honest explanation was very cruelly treated with the result that it reflected very severely both on my finances and more especially on my service.

I have already submitted that my continued applications for leave brought me no endorsements at all either of sanction or refusal and the courts reopened with effect from 13-5-1935. In this connection I submit that it was only on 8-7-35 nearly two months thereafter that the learned Public Prosecutor sent a report to Government regarding the absence of the clerk, and it was only then that for the first time he reported that the clerk had absented himself without permission.

This opened up a correspondence between the Government and the Public Prosecutor and it explains the reasons why my explanation was called for after I returned to duty and also for the adverse report made thereon. If the clerk was really an offender a report regarding his conduct should have been made at the earliest opportunity on the 14th of May 1935, and the absence of any such report proves conclusively that because there was room for correspondence it necessitated an explanation from me. I would also submit that if the learned Public Prosecutor had no personal

personal bias on me he should have been pleased to issue an endorsement to me refusing me leave on my very first application. And I should have conducted myself properly then alone by going to Shimoga and applying personally for leave. Instead of this I was kept in dark and stabbed most cruelly from behind and even my explanation was submitted to Government nearly a month after I gave it for reasons best known to the learned Public Prosecutor.

Under these circumstances I most respectfully pray that the connected papers may kindly be called for and my order of suspension cancelled and I granted leave of whatever kind I am found entitled to. Further I most respectfully pray that the arrears of my pay which I am entitled to may also be ordered to be disbursed to me.

Shimoga.
Date. 6-1-1936

I beg to remain,
Respected Sir,
Your most obedient servant.
S Rangaraya
Clerk
Public Prosecutor's
office Shimoga Dt.

26

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P 7/32 Law 6-38-7 *Bangalore, Dated,* 25th April 1936.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Public Prosecutor,
S h i m o g a.

Sir,

With reference to your letter No.425 dated 13th April 1936 regarding the representation of your clerk S.B.Kongalappa praying for cancellation of the order of suspension, I am directed to state that the clerk may be informed that Government do not see any grounds to reconsider the orders already passed on 8th October 1935 in the matter. As regards the arrears pay due, I am to request that it may be got -- disbursed early, after obtaining the necessary bills prepared in accordance with rules.

I have the honor to be,
Sir,
Your most obedient servant,

for General Secretary to Govt.

Appendix F G—1]

SUBJECT.....

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Section Law

File No. 635

Serial No. 7

No. P7132

Diary No. of letter replied to.....

To

The Pr. Shimoga

General and Revenue Secretariat

( )

the *193* .

Sir,

Date of issue 27.4.36

Signed by M.N.R.J.

Law reference to

Your letter no. 4x5 dated 13.4.36

re the representation of your client

S.B. Kangalappa praying for Cancellation

of the order of suspension, I am

directed to ~~request you to inform~~ state that the client

may be informed ~~that the client~~ that Govt ~~consider that~~

~~circumstances passed are in your~~

do not see any

~~Law are not sufficient~~

grounds to reconsider the orders already

passed ~~in the matter~~ on 8th Oct 1935 in the matter —

I am

~~Lawyer to request~~ As regards

pay ~~claimed by the petitioner~~ Dal I am to request

may be ~~their~~ be got disbursed early after obtaining

the necessary bills prepared in

accordance with rules.

List of enclosures.....

Copied by .....

Examined by.....

WD 03601—GPB—30,000—23-9-35

N/ enclosures / refs / are / herewith returned

N/ 2 Lawyers